

REMARKS

Claims 1-12 are all the claims pending in this application. Claims 5-12 have been withdrawn pursuant to an election of species filed on July 17, 2007. Applicants duly affirm the election. Claim 1 has been amended herein. This Response, submitted in reply to the Office Action dated February 7, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claim Rejections

Claims 1-2, 4 stand rejected under 35 U.S.C.103 (a) as allegedly being unpatentable over Kostrov et al (US 6,706,006 B2) in view of Hequet (FR 2,643,574 A1) and further in view of French et al (US 6,485,452 B1). Applicants respectfully traverse this rejection.

Claim 1 recites:

“A suction-cleansing device comprising:
a vessel body having a hollow portion whose profile is converged from its rear part side to its front part side;
an air/liquid jetting port secured at the front end portion of said vessel body;
a liquid-introducing pipe connected to the circumferential wall of the rear part side of said vessel body in the tangential direction;
an air/liquid jet-guiding portion that is disposed at the outer circumferential portion of said air/liquid jetting port and is widened to open from said air/liquid jetting port toward the jetting direction; and
a flow-out portion composed of at least one of: notches provided in the front end portion of the air/liquid jet guiding portion and ports formed at the front part side of the air/liquid jet guiding portion..

As is apparent, the suction cleansing device of claim 1 has a flow-out portion composed of at least one of: notches provided in the front end portion of the air/liquid jet guiding portion and ports formed at the front part side of the air/liquid jet guiding portion. Support for this

feature can be found, for example, in the description on line 20 of page 37 through line 1 of page 38 of the specification, which recites “ in Embodiment 1, although the flow-out portions 7 are formed at the front part side of the air/liquid jet-guiding portion 6 with the port thereof opened, the flow-out portions may be composed as notches formed by cutting off the front end portion of the air/liquid jet-guiding portion 6”. Further, the flow-out portions (7,77) which are formed at the front part side of the air/liquid jet-guiding portion (6, 76) with the port thereof opened, are, for example, shown in Figure 1-3, 5-10, 12 and 14. This amendment does not alter or change the points, and does not include any new matter.

In rejecting claim 1, the Examiner asserts that French teaches a jet-guiding portion (54) that is disposed at the outer circumferential portion of the air/liquid jetting port and is widened to open from the air/liquid jetting port toward the jetting direction as seen in Figures 1-3, 7 and 8. Further, the Examiner states that French teaches (on lines 50-52 of col. 2) that the benefit of forming the device with this design is that it protects the surroundings from being splashed during use of the device.

Conversely, the purpose of air/liquid jet-guiding portion of the present invention is to create a high massaging effect and not to protect the surroundings. *See* line 9 of page 7 through line 18 of page 9 of the Specification. Instead, the “splash-preventing portion 22” of the present invention protects the surroundings. Further, as described on lines 16 –18 of page 9, the suction-cleansing device can be effectively used as a shower without any restriction in the diffusion of the streams of water jetted by the air/liquid jet-guiding portion.

Further, none of the references cited by the Examiner disclose or even suggest an air/liquid jet-guiding portion having a flow-out portion composed of notches provided in the front end portion of the air/liquid jet guiding portion..

As described in line 9 of page 26 through line 20 of page 27 of the Specification, the described flow-out portion makes it possible to suck in a large area of skin. Further, it is also possible to continuously cause the stream of water to flow onto the skin since a swirling stream can be flown outside the air/liquid jet-guiding portion through the flow-out portion even if the front end portion of the air/liquid jet-guiding portion is intensively pressed to the skin. The swirling stream can thereby be effectively generated and the flow or stream can be made complex to increase the massaging effect because a plurality of flow-out portions can be provided at the air/liquid jet-guiding portion.

For the reasons discussed above, the Applicants respectfully submit that suction cleansing device according to Claim 1 is patentable over the applied references.

In the rejection of claim 2, the Examiner alleges that Kostrov discloses an air self-suction port, as recited in claim 2. As depicted in Figure 3 of this application, the air self-suction port 5 is located at a position deviated from the intersection of an air axis, which is on a center line of an air/liquid jetting port, and a rear wall of a vessel body.

Further, it is essential for this device that air self-suction port 5 is formed at a rear side of the vessel body when the air/liquid jetting port side is formed on a front side, opposite from the rear side.

As described on line 15–23 of page 13 of the Specification this structure as the following effect: “when the air self-suction port is disposed at a position deviated from the axial center of the vessel body, the tip end of the air axis is caused to vibrate, and minute air bubbles can be further effectively generated. The form and size of the air axis can be finely varied by adjustment of the amount of deviation whereby it is possible to obtain streams of water including prescribed minute air bubbles by which the cleansing effect and massaging effect are optimized.”

On the other hand, the air self-suction port (outlet14) taught in Fig. 3 of Kostrov is an extension of nozzle 13, not an extension of the air/liquid jetting port 15. Further, the air self-suction port (outlet14) is disposed on a side surface of a vessel and is perpendicular to an air axis which is on the center line of the air/liquid jetting port 15. The air self-suction portion port is not located at a rear side of a vessel body and not opposite the air/liquid jetting port located at a front side of the vessel body.

Therefore, the structure of the air self-suction port (outlet14) of Kostrov is different from the structure described in claim 2 because the location of the air self-suction port (outlet14) is not deviated from an air axis of the vessel but is perpendicular to the direction of the air axis. Further, the effect of the air self-suction port of Kostrov is different from the present application.

Moreover, regarding the structure of the air self-suction port (14) of Kostrov, the Examiner asserts that the “prior art structure(14) is identified as an “outlet” for creating a suction force in the vicinity of outlet (15) (c.4, ll. 35-40), however, absent a showing to a contrary, the port (14) allows air to flow both in and out of the port as the pressure inside the hollow portion is increased and decreased. Figure 3 appears to depict the above-noted phase of the cycle wherein

the pressure inside the hollow is decreased and the skin is suctioned into the jetting port. This position is based on the structure is disclosed as a hole will allow two-way flow in and out of the hollow portion depending on whether the periodic suction force is increased causing air flow into (14) or eliminated (air flow out)".

On the other hand, as described in the present invention, a pressure of the hollow portion of the vessel does not increase and decrease, but is always negative (reduced pressure). Therefore, air is continuously suctioned from the air self-suction port. *See* line 2 of page 40 through line 7 of page 41 of the Specification of the application. Specifically, the specification recites:

"Thus, the liquid flown in the hollow portion 2a is made into an air/liquid mixed fluid while swirling along the wall face of the hollow portion 2a and suctioning air through the air self-suction port 5, and is moved from the air/liquid jetting port 3 to the air/liquid jet-guiding portion 6. The air/liquid mixed fluid is made to collide with the skin H while swirling along the inner wall surface of the air/liquid jet-guiding portion 6 and is caused to flow from the flow-out portion 7 to the outside of the suction-cleansing device 1.

At this time, since a centrifugal force is caused to operate on the fluid by swirling actions and the center portion of the swirling flow is made into negative pressure (reduced pressure), **air is continuously suctioned** from the air self-suction port 5 into the hollow portion 2a to form an air axis W, and at the same time, **the skin H at the front side of the air/liquid jet-guiding portion 6 is absorbed.**

The tip end portion of the air axis W is torn by shearing forward of the skin H while swirling since the position of the air self-suction port 5 is deviated, and is diffused in swirling water streams after being made into minute air bubbles.

Thus, streams of water including minute air bubbles are turned in the direction of the air axis W at the edge portion of the air/liquid jet-guiding portion 6 along the skin H and is further turned in the vicinity of the air axis W. Then, the streams flow from the flow-out portion 7 to the outside. By causing such reversing actions of the streams of water to be effectively carried out, generation of minute air bubbles is facilitated in the fluid, **wherein a large area of skin H can be continuously and intensively absorbed and cleansed."**

Applicants respectfully submit that the air self-suction port of the present application is different from the outlet described in Kostrov, both in structure and action. Further, Applicants respectfully submit that none of the other references cited by the Examiner cure these deficiencies. Therefore, Applicants respectfully submit that claim 2 is patentable over the applied references for at least the reasons discussed above. Applicants also submit that claim 2 is also patentable at least by virtue of its dependency. Therefore, Applicants respectfully request that this rejection be withdrawn.

Claim 4, like claim 2, depends from claim 1 which has been shown above to be patentable. Therefore, Applicants respectfully submit that claim 4 is patentable at least by virtue of its dependency and respectfully requests that this rejection be withdrawn. Further, Applicants respectfully submit that the applied references fail to teach the unique features recited in claim 4. Specifically, none of the references teach “a tank portion, provided so as to cover said rear wall of said vessel body or said rotating member, which supplies air via said air self-suction port, and an air introducing port secured at said tank portion.” Therefore, Applicants respectfully submit that claim 4 is also patentable for at least this reason, and respectfully request that this rejection be withdrawn.

Claim 3 stands rejected under 35 U.S.C.103 (a) as allegedly being unpatentable over Kostrov, Hequet, and French as applied to claim 1 above, and further in view of Martin (US 6,962,298 B1). Applicants respectfully traverse this rejection.

In rejecting claim 3, the Examiner asserts that Martin teaches a suction cleansing device (10) including a rotating member(16) that is attached by being screwed in a threaded portion

(106) which is opened and formed at an anterior wall of the vessel body and is rotatably provided in a covered (92) manner centering around a position deviated from the axial center of the vessel body (70) and air self-suction port (93) that introduces air into the device is formed at a position deviated from the rotating axis of the rotating member.

As discussed in the present Specification, the rotating member 33 is disposed at a rear side of the vessel when air/liquid jetting port side is disposed on a front side, opposite the air self-suction port. Conversely, the rotating member 16 and the hole 93 of Martin are disposed on lateral faces. Further, there is no description of 93 in the Specification of Martin and it is not apparent from Fig. 9 that the hole 93 is an air self-suction port. Therefore, Applicants submit that element 93 of Fig.9 of Martin is not an essential feature, nor does it fulfill the same role as the air self-suction port of the present application. Therefore, the Applicants submit that both the rotating member and the hole of Martin are different from features of claim 3 in both structure and action. Applicants respectfully submit that Martin does not teach the unique features recited in claim 3. Therefore, Applicants respectfully submit that claim 3 is patentable over the applied references, and respectfully request that this rejection be withdrawn.

Conclusion

Consequently, in view of the present amendment and in the light of the above discussions, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880 via EFS payment screen. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/SMG/

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